

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

Rusty Haynes,

Debtor.

Rusty Haynes, Individually and On Behalf
Of All Others Similarly Situated,

Plaintiff,

-against-

Chase Bank USA, N.A.,

Defendant.

Index No.: 18-cv-03307-VB

**SUPPLEMENTAL MEMORANDUM IN FURTHER SUPPORT OF
PLAINTIFF'S MOTION FOR FINAL APPROVAL**

On August 6, 2018, Plaintiff Rusty Haynes (“Plaintiff”) filed a Motion for Final Approval of the proposed settlement in this action, Dkt. No. 7. Since that time, Plaintiff has obtained from Defendant Chase Bank USA, N.A. (“Defendant” or “CBUSA”) updated information with respect to the number of Automatic Reimbursements that will be made and the number of valid Reimbursement and Distribution Claims made by Class Members. Plaintiff presents this information for the Court’s consideration, with the consent of CBUSA.

As detailed in the chart below, with respect to Automatic Reimbursements, 839 Accounts will receive reimbursement for Post-Discharge Payments and the sum of these Automatic Reimbursements is \$652,233.77. There are a total of five valid Reimbursement Claims and the sum of those Reimbursement Claims is \$21,749.15. Currently, there are a total of 31,050 valid

Distribution Claims (30,240 of which were timely, and 810 of which were late). Based on this information, Plaintiff now estimates that the amount of each Distribution Claim payment will be approximately \$348.¹ This figure is subject to adjustment based on the amount of Reimbursement and Distribution Claims ultimately verified.

For ease of reference, we present this information in the chart below:

Settlement Fund	\$11.5 million
Automatic Reimbursements	\$652,233.77 839 Accounts
Reimbursement Claims	\$21,749.15 5 Valid Claims
Distribution Claims	\$10,826,017.08 31,050 Valid Claims (Approximately \$348 per Claim)

¹ In Plaintiff's Motion for Final Approval, Dkt. No. 7 at 2, Plaintiff had estimated that the Distribution Claim payments would range from \$100-\$114. This estimate reflected both the information available at the time and also a math error that significantly decreased the estimate.

Respectfully submitted,

Dated: Albany, New York
August 23, 2018

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CERTIFICATE OF SERVICE

I hereby certify that on August 23, 2018, I caused the foregoing document to be filed electronically with the Clerk of Court using the CM/ECF system, which will send notification of such filing to all counsel of record.

/s/Adam R. Shaw

Adam R. Shaw